

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CASE NO. 3:16-CR-087-RJC-DCK**

UNITED STATES OF AMERICA,

Plaintiff,

v.

STACY TREMAINE JOHNSON,

Defendant,

and

REECE USA,

Garnishee.

**ORDER OF CONTINUING
GARNISHMENT**

THIS MATTER IS BEFORE THE COURT on the Government’s “Motion For Order Of Continuing Garnishment” (Document No. 17), filed September 30, 2024.

Judgment in the criminal case was entered on August 6, 2001, in the United States District Court for the Eastern District of North Carolina. (Document No. 1). As part of that Judgment, Defendant Stacy Tremaine Johnson was ordered to pay an assessment of \$100.00 and a fine of \$14,334.00. Id. Defendant’s supervision by the United States Probation Office was transferred from the Eastern District of North Carolina to the Western District of North Carolina on April 15, 2016. Id.

On August 2, 2024, the Court entered a Writ of Continuing Garnishment (“Writ”) as to Garnishee, Reece USA (Document No. 10). Defendant was served with the Writ and Instructions notifying him of his right to request a hearing and/or claim exemptions on August 9, 2024. (Document No. 12). Garnishee was served with the Writ and Instructions on August 13, 2024. Id.

“Defendant’s Request For Hearing About Garnishment And Claim For Exemptions” was filed on August 16, 2024. (Document No. 13). The United States filed a “Response In Opposition To Defendant’s Motion For Hearing” on August 27, 2024. (Document No. 14). The Court denied Defendant’s requests on September 11, 2024. (Document No. 16).

Garnishee filed an Answer on September 3, 2024, stating that at the time of service of the Writ, Garnishee had in its custody, control, or possession property or funds owned by Defendant, including nonexempt, disposable earnings. (Document No. 15). The United States served the Answer on Defendant on September 3, 2024.¹ Defendant did not object to the Answer.

IT IS, THEREFORE, ORDERED that an Order of Continuing Garnishment is hereby **ENTERED** in the amount of \$6,408.13 computed through August 1, 2024. Garnishee shall pay the United States up to the lesser of:

1. twenty-five percent (25%) of Defendant’s disposable earnings which remain after all deductions required by law have been withheld, or
2. the amount by which Defendant’s disposable earnings for each week exceed thirty (30) times the federal minimum wage.

See 15 U.S.C. § 1673(a). Garnishee shall continue payments until the debt to the United States is paid in full; until Garnishee no longer has custody, possession, or control of any property belonging to Defendant; or until further Order of this Court.

Payments should be made payable to the United States Clerk of Court and mailed to:

CLERK OF THE UNITED STATES DISTRICT COURT
ATTN: FINANCE DEPARTMENT
401 WEST TRADE STREET
CHARLOTTE, NORTH CAROLINA 28202

¹ Garnishee did not certify that it served the Answer on Defendant. See (Document No. 15). Therefore, the Government mailed a copy of the Answer to Defendant.

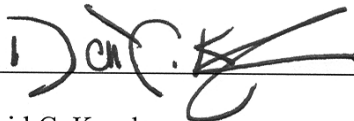
To ensure that each payment is credited properly, the following should be included on each check:
Defendant's Name Stacy Tremaine Johnson and Case Number DNCW3:16CR087.

IT IS FURTHER ORDERED that Garnishee shall advise this Court if Defendant's employment is terminated at any time by Garnishee or Defendant.

IT IS FURTHER ORDERED that the United States shall submit this debt to the Treasury for inclusion in the Treasury Offset Program. Under this program, any federal payment Defendant would normally receive may be offset and applied to this debt.

SO ORDERED.

Signed: September 30, 2024



David C. Keesler
United States Magistrate Judge

